

"Attention of . . .," "Personal," etc., work most successfully when placed immediately above the name of the addressee. Many a letter marked "Personal," in lower left corner is opened by clerk or secretary before the warning is noticed.

#### PRESS MATERIAL

**Milk the Indispensable Food for Children—** A series of 14 press releases based upon a report of the same title issued by the Children's Bureau. *Free.*

**"Proving Paternity"**—A 175-word argument for birth registration based on the Gladstone libel trial and English birth records—in *Weekly Bulletin*, New Mexico Bureau of Health. Feb. 8, 1927.

#### RADIO

A new series of radio talks is being broadcast by the U. S. Public Health Service. The series is based on articles in *Children*. There is a

commendable absence of technical terms. *Free.*

The "Ask Me Another About Health" idea might be worked by radio in several forms. One prominent citizen might put the questions, and another prominent or popular personage might be willing to attempt to answer the questions. Possibly a week later the questions could be broadcast again, with some one to indicate whether or not the governor or other prominent person gave the correct answers. Or, the health agency or a newspaper might offer prizes for the best sets of answers.

#### WORDS

"Non-immune population," "fulminant hemorrhagic variety," "almost extirpated."—Radio talk on smallpox.

They don't hesitate to use "propaganda" in England. The headings of five articles in *National Health*, London, include the word "propaganda."

## LAW AND LEGISLATION

JAMES A. TOBEY, LL.B., DR.P.H.

**Modern Health Officials**—The trend of the times is to require health officials to be doctors of public health, according to Dr. Carl E. McCombs, writing in the *American City* for September, 1927. Dr. McCombs's article, on The Health Officer, His Duties and Salary, is an excerpt from his recently published book, *City Health Administration*, comprising its fifth chapter. "The demand for health officers so trained is growing rapidly," declares this writer, "and the evidence of it is to be found in the enactment of state laws and municipal charters and ordinances which specify that the health officer shall be a doctor of public health or shall have qualifications of experience and training which may be accepted as the equivalent of such degree." Dr. McCombs does not give any examples of such legislation, which, while theoretically sound, is not actually abundant. He predicts that, "in the near future professionally trained persons only will be chosen as city health officers." Let us hope so.

A section of this same article deals with the health officer and law enforcement. Here Dr. McCombs, after calling attention to the broad

discretion usually exercised by health officers in legal matters, suggests that there may be occasions when strict enforcement of the law is impractical if not impossible. He says that there are still in effect many laws which are inconsistent with our present knowledge of sanitary science, and that there are others which, though of clearly proven necessity, can only be enforced adequately by the development of a spirit of obedience to health laws on the part of the citizens. He recommends that when the health officer must resort to strict law enforcement, there should be no hesitation or delay, as the effectiveness of the action will depend largely upon the promptness with which it is taken.

While there is much truth in all of this dicta, health officers should always keep in mind one essential point when considering the promotion of new legislation. Any proposed law must be necessary, practical, and enforceable. Once it has become a law, it should be not only enforceable, but enforced. If it is not intended to be enforced, then it should be forgotten before it ever becomes a law, not afterward. Laws are

not merely decorations, nor are the instruments of education; they are the commands of the sovereign power and as such they should be respected and followed in this system of government of ours, which is one of laws and not of men. That applies with particular force to health legislation.

**Regulations for Milk Imports**—Pursuant to the authority of the Federal Milk Import Act passed by the last Congress, regulations for the enforcement of this law have been promulgated by the U. S. Department of Agriculture. These regulations define various milk products, such as milk, cream, condensed milk, etc.; outline methods for physical examination of cows, the tuberculin test, sanitary inspection of dairies and plants; regulate pasteurization equipment and methods; state that bacterial counts shall be by the standard plate method of the American Public Health Association; regulate permits of various classes; and outline methods for securing such permits. There are in all 22 regulations. Copies may be obtained from the U. S. Food, Drug, and Insecticide Administration, Washington, D. C.

**A Legal Standard for Ice Cream**—Recommendations upon which legal standards for ice cream can be based are contained in a pamphlet recently sent out from the Agricultural Experiment Station of the Michigan State College. This bulletin (No. 158) is by F. W. Fabian, who has attempted to answer a question of interest to health officers, "How many bacteria should good ice cream contain?" He concludes that, "It is reasonable to expect a commercial ice cream plant to produce ice cream with a bacterial count (colonies) of 100,000 or less per gram." He also states that pasteurization of the ice cream mix is the best known safeguard against the spreading of disease by ice cream and should be required by law. "Because of the nature of the product," he writes, "150° F. for 30 minutes seems to be the best temperature and time for pasteurization." It is likewise recommended that ice cream plants should be inspected regularly by a sanitary inspector the same as are city milk plants.

A court in Wisconsin has recently decided that eating ice cream is not outside the scope of employment of a person who was working in an isolation hospital. *Vilter Mfg. Co. v. Jahncke*, 212 N. W. 641. In this case, an erecting engineer ate some ice cream given him by the janitor of the hospital and nine days

later came down with smallpox. Since there had been smallpox patients in this hospital, the court sustained a finding that the disease was contracted there, and upheld an award to his widow.

**Alum in Baking Powder**—For seven years or more, there has apparently been a merry warfare between rival baking powder companies as to whether alum is objectionable in baking powder. In 1920 the Federal Trade Commission issued a formal complaint against the Royal Baking Powder Company, charging unfair methods of competition. This company had been advertising that its products contained no alum and that those which did were terrible, or words to that disastrous effect. Three years later, the Federal Trade Commission, with that tremendous speed characteristic of government bureaucracy, began hearings, and two years later filed a report, after the examiner had endured the testimony of only 158 so-called experts. An order of dismissal was issued by the Commission on March 23, 1926, and then on July 7, 1926, the case was surprisingly reopened.

As an aftermath of all this furor, the literature has been enriched (?) by a couple of booklets on alum in baking powder. One is issued by the Royal Baking Powder Company, and its 86 pages are devoted to proving most conclusively that the whole proceedings show that the slogan, "No alum—no bitter taste," used by them is absolutely justified. The other is published by the Calumet Baking Powder Company; it is somewhat more profuse, having 172 pages, all proving most positively that baking powders do not contain alum anyway and that their regally named rival has been defamatory.

**The Duties of the Doctors**—Every physician has certain civic responsibilities imposed upon him by law, particularly public health law. The newly licensed medical man usually has little if any conception of these requirements and often proceeds to get into trouble. Now, while doctors have duties, health departments also have them, and one of the most important is to be helpful to physicians. This fact, often inadequately realized, has been translated into action in a number of states. In New York, for instance, there has recently been issued by the State Department of Health a useful pamphlet entitled, "Information for Physicians," which has been compiled to furnish

doctors (of medicine) information as to their duties and responsibilities under the Public Health Law and the Sanitary Code, and, what is equally important, to explain how the department can cooperate with them. It is a sign of the times when service is stressed along with regulation.

**Standard Safety Codes**—Twenty standard safety codes are now available, according to a list given in the *Monthly Labor Review* of the U. S. Bureau of Labor Statistics for September, 1927 (page 238). Among the subjects covered are: abrasives, aeronautics, dust explosives, foundries, gas, heads and eyes, ladders, laundry machinery, lighting, logging and saw-mill machinery, paper and pulp mills, power presses, power-transmission apparatus, rock dusting of coal mines, rubber mills, wood-working plants. This same issue contains a bibliography on state legislation and safety regulation.

**A Model Municipal Board of Health**—The Board of Health of the City of New York ought to consist of the Health Commissioner and several persons appointed by the Mayor from among those who have been prominently identified with the public health and welfare activities of the city. The members of the board should be persons of recognized standing and experience and should include a physician, a sanitary engineer, and an attorney. The term of office should be so arranged that only one would go out of office in any one year. The attendance at board meetings should not be perfunctory, nor should it be delegated to any one else except those who are, by law, members of the board. Each member should be paid not more than \$1,000 a year as honorarium for his services.

These suggestions, as sensible and sound as any which have been put forward, come from the Public Health Relations Committee of the New York Academy of Medicine, which recommends that a bill to these ends be introduced in the Municipal Assembly. Theoretically, this is a model plan, though there are those who assert that it is somewhat difficult to conceive of a mayor of New York appointing "persons of recognized standing," to a paid board. It is rumored that such events transpire in the shadow of Tammany Hall, where "standing" is said to mean the political, not civic value of an individual.

**The Veterans' Bureau Medical Service**—Effective September 12, 1927, a reorganization of the medical service of the U. S. Veterans' Bureau has been brought about, in accordance with General Orders No. 246-M of the bureau. This order establishes the Medical Service under a Medical Director, responsible to the Director of the Bureau. This service has four divisions, as follows:

- Regional Office
- General Medical
- Tuberculosis
- Neuropsychiatric

There are six subdivisions: Insular and Foreign, Dental, Prosthetics, Medical Research, Occupational and Physiotherapy, and Business Management. In addition, there are four sections: Nursing, Dietetics, Social Work, and Library. The subdivisions and sections are independent and responsible to the Medical Director through the Executive Officer of the Medical Service. The present Medical Director is Dr. B. W. Black.

The Director of the Bureau, General Frank T. Hines, is quoted in the *New York Sun* of September 21, 1927, as intending to propose a bill in the next Congress to do away with the \$50 a month payment now made by law to some 30,000 veterans who are arrested cases of tuberculosis.

**Miscellaneous Items**—Putting milk intended for human consumption into a bottle containing a mouse is not good form in New York, according to a recent court decision. *Ritchie v. Sheffield Farms Co.*, 222 N. Y. S. 724, 129 Misc. Rep. 765.

A court in Scotland has decided that leaving ditches in a stagnant condition so that mosquitoes breed therein, is a nuisance under the public health act, and the landowner is responsible. According to a correspondent of the *Journal of the American Medical Association* for September 3, 1927, this is the first time such a decision has been made. It may be the first such holding in Great Britain, but not in the United States, where this point has been decided before.

Dr. Henry G. Knight has been appointed chief of the U. S. Bureau of Chemistry and Soils.

A reprint on the Constitutional, Statutory, and Administrative Aspects of Vital Statistics is now available and may be obtained from Dr. W. T. Fales, State Health Department, Mont-

gomery, Ala.; E. W. Kopf, 1 Madison Avenue, New York, N. Y.; or the Associate Editor.

### CONFERENCES

Nov. 1-4, Texas Association of Sanitarians, Houston, Texas.

Nov. 4, New York State Association of Public Health Laboratories, Albany, N. Y.

Nov. 7-9, American Water Works Association (North Carolina Section), Durham, N. C.

Nov. 10, National Committee for Mental Hygiene, New York, N. Y.

Nov. 10-11, National Municipal League, New York, N. Y.

Nov. 14-17, Southern Medical Association, Memphis, Tenn.

Nov. 14-18, American Bottlers of Carbonated Beverages, New Orleans, La.

Nov. 15-17, New York State Conference on Social Work, Troy, N. Y.

Nov. 21-23, West Virginia Public Health Council, Morgantown, W. Va.

Nov. 28-Dec. 2, Radiological Society of North America, New Orleans, La.

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